

THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

JUSTIN JONES,) Civil Action No.
)
Plaintiff,)
)
v.) **NOTICE OF REMOVAL**
)
EATON CORPORATION,)
)
Defendant.)

)

Pursuant to 28 U.S.C. § 1441, *et seq.*, Defendant Eaton Corporation (“Eaton” or “Defendant”) gives Notice of Removal of an action filed by Plaintiff Justin Jones (“Plaintiff”) in the Court of Common Pleas, Sumter County, South Carolina. In support of this Notice of Removal, Defendant shows the following:

1. On or about September 14, 2015, Plaintiff initiated this lawsuit by filing a Summons and Complaint in the Court of Common Pleas, Sumter County, South Carolina, Case No. 2015-CP-43-2133. The Summons and Complaint were served on Eaton’s registered agent by certified mail on September 18, 2015.

2. This Notice of Removal is filed within thirty (30) days after service of the Summons and Complaint upon Defendant. 28 U.S.C. § 1446.

3. Eaton removes this action on the grounds of federal question and diversity of citizenship jurisdiction pursuant to 28 U.S.C. §§ 1331, 1332 and 1441, *et seq.*

4. This matter is removable on the ground of federal question jurisdiction because Plaintiff’s Complaint asserts a cause of action for gender discrimination and retaliation in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e *et seq.* (Title VII). 28 U.S.C. § 1331.

5. This action also is removable because Plaintiff and Defendant are citizens of different states and the amount in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs but including Plaintiff's claims for compensatory damages and attorney's fees as set forth below. 28 U.S.C. § 1332.

6. Upon information and belief, Plaintiff is a citizen and resident of the State of South Carolina. Defendant Eaton is an Ohio corporation with its principal place of business in Cleveland, Ohio and therefore is a citizen of Ohio pursuant to 28 U.S.C. § 1332(c)(1). Accordingly, diversity of citizenship exists between the parties. 28 U.S.C. § 1332 (a)(1).

7. Taken as a whole, the damages sought by Plaintiff exceed \$75,000.00. In his Complaint, Plaintiff is seeking damages including his economic losses, actual, compensatory and punitive damages, attorney's fees and costs of litigation in connection with the termination of his employment with Eaton. 28 U.S.C. § 1332(a).

8. Eaton is giving written notice of this Notice of Removal to all parties and is filing a copy of this Notice of Removal with the Clerk of Court for Sumter County, South Carolina.

9. The Complaint and Summons that were served on Eaton are attached as Exhibit "A" and incorporated herein by reference.

WHEREFORE, Defendant Eaton Corporation respectfully requests that this action be removed to this Court.

This the 15th day of October 2015.

/s/Cara Y. Crotty
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